

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

☐ Eastern (Jackson) DIVISION

☐ Western (Memphis) DIVISION

JAMES D. MILLER

Plaintiff,

vs.

AEROTEK Scientific

Defendant.

No. 490-2018-03004

COMPLAINT

1. This action is brought for discrimination in employment pursuant to (check only those that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

**NOTE:** In order to bring a suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 – 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 92-592, the Civil Rights Act of 1991, Pub. L. No. 102 -166)

**NOTE:** In order to bring a suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 – 12117 (amended by the ADA Amendments Acts of 2008, Pub. L. No. 110-325 and the Civil Rights Act of 1991, Pub. L. No. 1102-166).

**NOTE:** In order to bring a suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

**JURISDICTION**

2. Jurisdiction is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub. L. No. 102-166, and any related claims under Tennessee law.

**PARTIES**

3. Plaintiff resides at:

4995 STACEY RD.  
STREET ADDRESS  
Shelby, TN., 38109, 901-501-3133  
County State Zip Code Telephone Number

4. Defendant(s) resides at, or its business is located at:

~~4600~~ 7000 Goodlett Farm Pkwy  
STREET ADDRESS  
Shelby, CORDOVA, TN., 38016  
County City State Zip Code

NOTE: If more than one defendant, you must list the names, address of each additional defendant.

1. Cognate bioservice 4600 shelby Dr.  
Memphis, TN. 38118

2. AEROTEK Scientific - 7000 Goodlett Farm Rd.  
STE#100 CORDOVA, TN. 38016

5. The address at which I sought employment or was employed by the defendant(s) is:

Cognate Bio Services  
4600 shelby Dr. Memphis, TN. 38118  
Work site  
7000 Goodlett Farm Rd  
CORDOVA, TN. 38016  
Address of my  
Employer  
AEROTEK

STREET ADDRESS

Shelby, Cordova, TN, 38016  
County City State Zip Code

6. The discriminatory conduct of which I complain in this action includes (check only those that apply)

- ☐ Failure to hire  
☒ Termination of my employment  
☐ Failure to promote  
☐ Failure to accommodate my disability  
☐ Unequal terms and conditions of my employment  
☐ Retaliation  
☒ Other acts(specify): EMOTIONAL STRESS, UNLAWFUL TERMINATION, CREATED HOSTILE WORK environment

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

7. It is my best recollection that the alleged discriminatory acts occurred on: EMOTIONAL STRESS  
CREATED HOSTILE WORK environment UNLAWFUL TERMINATION  
Date(s) 01/26/2018 . 01/31/2018

8. I believe that the defendant(s) (check one):

- ☐ is still committing these acts against me.  
☒ is not still committing these acts against me.

9. Defendant(s) discriminated against me based on my:  
(check only those that apply and state the basis for the discrimination. For example, if religious discrimination is alleged, state your religion. If racial discrimination is alleged, state your race, etc.)

☐ Race \_\_\_\_\_

☐ Color \_\_\_\_\_

☒ Gender/Sex \_\_\_\_\_

☐ Religion \_\_\_\_\_

☐ National Origin \_\_\_\_\_

☐ Disability \_\_\_\_\_

☐ Age. If age is checked, answer the following:

I was born in \_\_\_\_\_. At the time(s) defendant(s) discriminated against me.

I was ☒ more ☐ less than 40 years old. (check one)

**NOTE:** Only those grounds raised in the charge filed the Equal Employment Opportunity Commission can be considered by the federal district court.

10. The facts of my case are as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Attach additional sheets as necessary)

**NOTE:** As additional support for your claim, you may attach to this complaint a copy of the

I was hired on 9/12/2017 as a Clean Room Custodian through Aerotek Scientific Staffing

Aerotek assigned me to work at Cognate Bio services

On 01/26/2018 I was involved in a verbal altercation with my female co-worker, Connie Trixie who threatened me.

Connie Trixie was a clean room Custodian who reported to the same Supervisor as I did.

Two female co-workers Connie Trixie and Cheryl (LNU) called me names, sabotaged my work and it made it hard for me to work.

I reported the harassment to Derek Grice Supervisor on several occasions and nothing was done about it.

On 01/31/2018 I received a telephone call from NASEEM GARRETT A Recruiter for Aerotek who told me not to report to work due to accusations that I attacked a co-worker on the job.

I WAS THE ONLY MALE CLEANROOM CUSTODIAN.  
I WAS TERMINATED ON FALSE ALLEGATIONS BY THE SAME FEMALE EMPLOYEE WHO WAS IN AN ALTERCATION WITH ME.

Connie Trixie, female employee of Cognate LIED AND FALSELY ACCUSED ME OF ATTACKING HER.  
Connie Trixie told the Supervisor that I had A GUN INSIDE MY CAR AND THAT SHE WAS IN FEAR OF HER LIFE.

Connie Trixie made up false accusations against me after she found out that I had evidence that she did not complete cleaning of her assigned area.

Connie Trixie felt I was going to report her so she started threatening me and made disrespectful degrading and vulgar comments towards me.

Connie Trixie threatened me with physical violence AND told me that if she lost her job she was going to see me outside

Neither Connie or Cheryl was subjected to discipline nor terminated like I was

Rita Wilkens witnessed the acts that created a hostile environment described above.

Kim Abrams witnessed the language the acts that created a hostile environment described above.

Eldrick is a witness also to the language.

*charge filed with the Equal Employment Opportunity Commission or the Tennessee Human Rights Commission.*

11. It is my best recollection that I filed a charge with the Tennessee Human Rights Commission regarding defendant's alleged discriminatory conduct on: \_\_\_\_\_
12. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: 08/13/2018  
Date

**Only litigants alleging age discrimination must answer Question #13.**

13. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct. (*check one*):

- ☒ 60 days or more have elapsed
- ☐ Less than 60 days have elapsed.

14. The Equal Employment Opportunity Commission (*check one*):

- ☐ has not issued a Right to Sue Letter.
- ☒ has issued a Right to Sue letter, which I received on 08/19/2018  
Date

**NOTE:** This is the date you received the Right to Sue letter, not the date the Equal Employment Opportunity Commission issued the Right to Sue letter.

15. Attach a copy of the Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

**NOTE:** You must attach a copy of the right to sue letter from the Equal Employment Opportunity Commission.

16. I would like to have my case tried by a jury:

- ☒ Yes
- ☐ No



**WHEREFORE**, plaintiff prays that the Court grant the following relief:

- ☐ direct that the Defendant employ Plaintiff, or
- ☐ direct that Defendant re-employ Plaintiff, or
- ☐ direct that Defendant promote Plaintiff, or
- ☐ order other equitable or injunctive relief as follows: \_\_\_\_\_

☐ direct that Defendant pay Plaintiff back pay in the amount of \_\_\_\_\_ and interest on back pay;

☒ direct that Defendant pay Plaintiff compensatory damages: Specify the amount and basis for compensatory damages: \$300,000  
EMOTIONAL STRESS;  
UNLAWFUL TERMINATION, CREATING A HOSTILE  
WORK ENVIRONMENT.

  
SIGNATURE OF PLAINTIFF

Date: \_\_\_\_\_

4995 Stacey Rd.  
Address

Memphis, TN. 38109

901-501-3133  
Phone Number